

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

Public Notice/Application No.: 2003-01058-DE

Comment Period: December 1, 2003 through December 30, 2003

Applicant

Charles R. Cullom
Central Arizona Water Conservation District
Central Arizona Project
23636 North Seventh Street
Phoenix, Arizona 85080-3020
(623) 869-2665

AGENT

Michael Shirley
Aztec Engineering
3747 East Grove Street
Phoenix, Arizona 85040
(602) 458-9288

Location

The project is located approximately four miles northwest of the Interstate 10 Tonopah traffic interchange in the unnamed ephemeral washes (Section 4, T2N, R7W, and Section 33, T3N, R7W), Tonopah, Maricopa County, Arizona. The project area is located adjacent to and south of the Central Arizona Project Granite Reef Aqueduct.

Activity

The Central Arizona Water Conservation District, the legal entity that operates and maintains the Central Arizona Project (CAP), is planning a groundwater recharge project to recharge CAP water into the Lower Hassayampa sub-basin located west of Lake Pleasant. To accomplish this, a main distribution pipeline and a series of recharge basins will be constructed to percolate water into the aquifer at a rate of approximately 2.5 feet per day. For more information, see page 3 of this notice and attached drawings.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit application will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344).

Comments can be e-mailed to daisy.eldridge@usace.army.mil or mailed to:

**U. S. Army Corps of Engineers
ATTENTION: Regulatory Branch (2003-01058-DE)
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939**

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, cumulative impacts, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant will be required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality and/or the U.S. Environmental Protection Agency. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency. For any proposed activity on land other than Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the Arizona Department of Environmental Quality. Section 401 of the Clean Water Act requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers.

Cultural Resources- The applicant has conducted a records search of previous archaeological surveys that have been conducted in the project area. The records search revealed one previously documented archaeological survey had been conducted, and that no sites were located within a half-mile radius of this project area. Archaeologists from SWCA conducted a survey of the project area between July 24-31, 2003, and reported their findings in *An Archaeological Inventory of 541 Acres for the Central Arizona Project's Tonopah Desert Recharge Project in Northwestern Maricopa County, Arizona*, August 2003. One newly identified historic site, and two isolated artifact occurrences were recorded during this survey. The report concluded that the historic site does not maintain integrity, nor meet any eligibility criteria for inclusion in the National Register of Historic Places. No conclusions were made with regards to the isolated artifact occurrences.

General Land Office survey plat maps of the region, examined by SWCA, show two branches of an unimproved road through the proposed project area. Only one of the two historic road alignments was located; the second historic road alignment no longer exists. The currently unpaved, but frequently bladed/maintained Bilach Road follows the western branch of the earlier road, and crosses the CAP canal on a modern concrete bridge. During their field investigations,

SWCA noted the similarities between previous and present road alignments, but did not detect evidence of a more-than-50-year-old thoroughfare through the project area.

The Corps has not made a determination in regard to the conclusions contained in this report. The Corps will consult with the State Historic Preservation Office with regard to the eligibility determinations and project impacts to these properties.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

The purpose of the proposed project is to store excess CAP water underground to benefit CAP municipal and industrial sub-contractors and other CAP customers.

The proposed activity for which a permit is required is to develop a groundwater recharge project consisting of a main distribution pipeline and a series of recharge basins to percolate water into the underground aquifer at a rate of approximately 2.5 feet per day. A total of 19 recharge basins would be constructed within the 541-acre project site. The maximum capacity at the basin spillway would be no greater than 50 acre-feet. Seven spoil areas have been identified for stockpiling excavated basin materials. The main distribution pipeline would vary in diameter from 84 inches at the CAP canal turnout, to 30 inches at the southern end of the project. Twelve of the 15 ephemeral washes within the project area would be permanently impacted due to excavating recharge basins, stockpiling materials in spoil areas, constructing the main pipeline and basin inlet pipes, and constructing operation and maintenance roads. Three washes would be filled, two washes would be diverted into a drainage ditch on the western portion of the project area and routed to a natural drainage near the southern edge of the project site, and one wash would be routed around a basin and returned to its natural channel. Equipment maneuvering required to contour the outer regions of some of the basins and stockpile areas, and to construct the main pipeline and basin inlet pipes would result in temporary impacts, as these areas would be restored to pre-construction conditions and elevations. The project would permanently impact approximately 3.54 acres, and temporarily impact 0.07 acres of Section 404 jurisdictional waters.

Additional Project Information

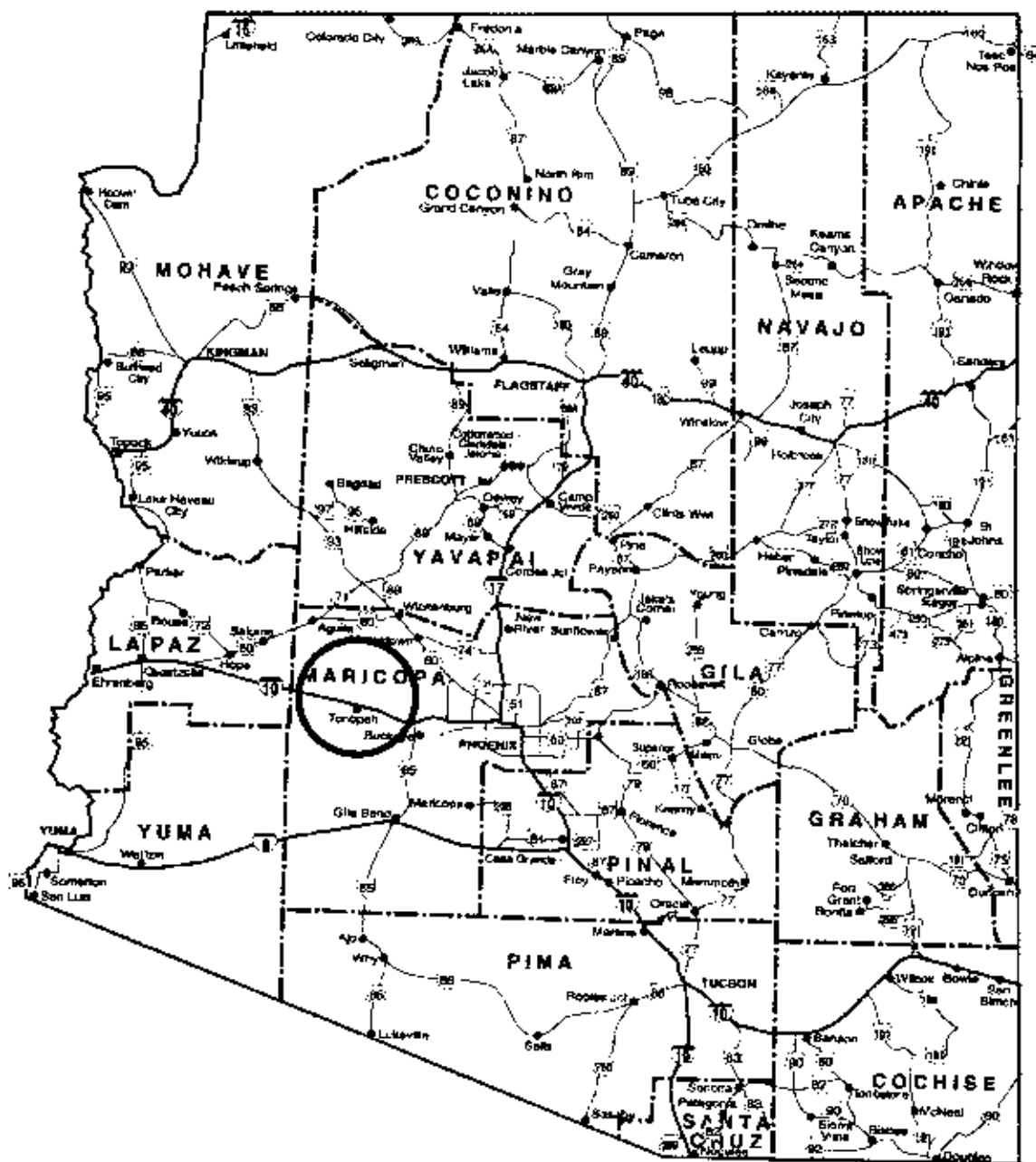
The project is located at about 1,300 feet above mean sea level in an area that is somewhat ecotonal between the Lower Colorado River Valley Subdivision and the Arizona Upland Subdivision, both located within the Sonoran Desertscrub Biotic Community. Soils in the project area can be described as primarily alluvial fans and rock pediments of the Tertiary and Quaternary Age, with underlying soils consisting of granite and metamorphic rock from the Pre-Cambrian Age. The project area consists of undeveloped land, with no wetlands or special aquatic sites.

Plant species within the project area included creosotebush (*Larrea tridentata*), ironwood (*Olneya tesota*), blue paloverde (*Cercidium floridum*), white bursage (*Ambrosia dumosa*), and saguaro (*Carnegie gigantea*). The project area in general can be described as being relatively sparse and lacking structural diversity.

Proposed Special Conditions

The applicant is currently developing a mitigation proposal to offset the loss of Section 404 jurisdictional waters of the United States. Additional Special Conditions are currently being developed.

For additional information please call Daisy Eldridge at (602) 640-5385 x 268. This public notice is issued by the Chief, Regulatory Branch.

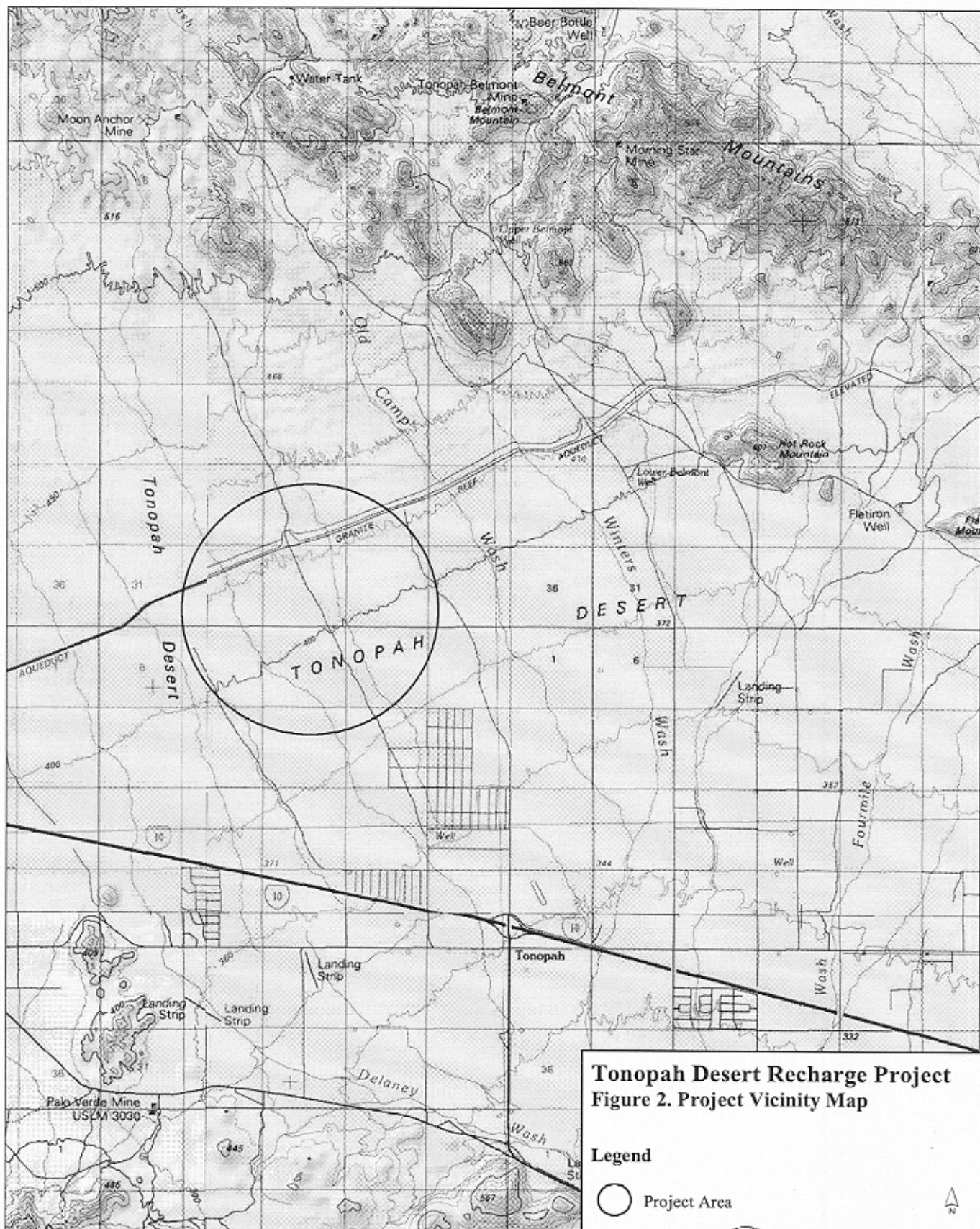


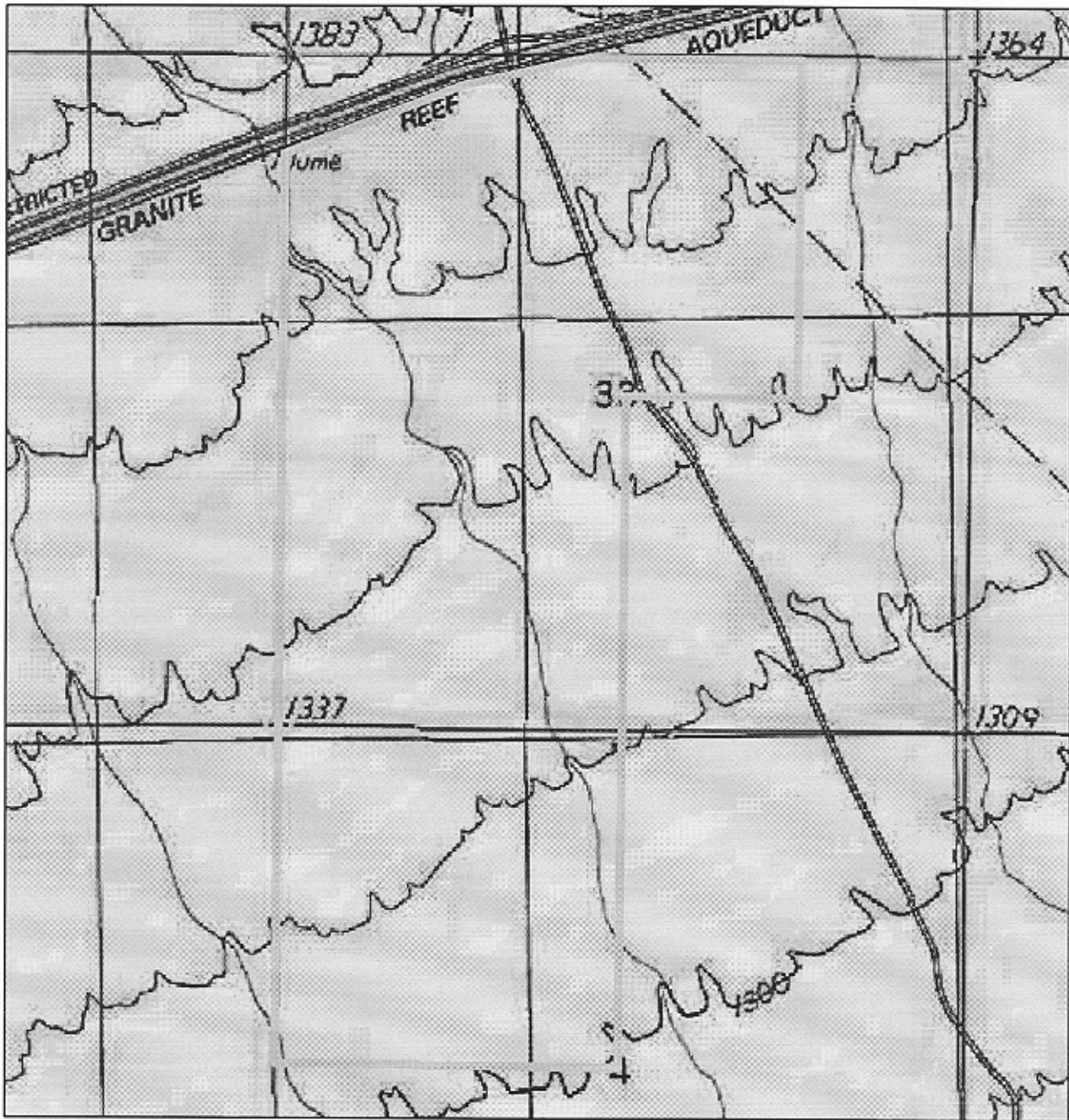
Tonopah Desert Recharge Project
Figure 1. State Location Map

Legend

○ Project Area








Tonopah Desert Recharge Project
Figure 3. Project Location Map

Legend

 Project Area

Feet
 0 500 1,000 2,000



